

LPC# 111 095 0003 McHenry County
Woodstock Die Casting Facility-Woodstock
ILD 005 471 503
HRS

EPA Region 5 Records Ctr.



361326

CERCLA Site Reassessment

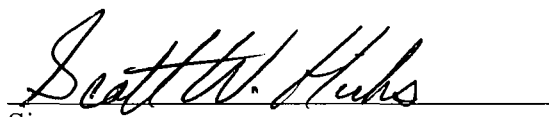


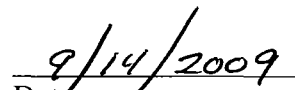
Prepared by:
Office of Site Evaluation
Division of Remediation Management
Bureau of Land

SIGNATURE PAGE

Title: CERCLA Site Reassessment for Woodstock Die Casting Facility,
Woodstock, Illinois

Preparer: Scott W. Hicks, Project Manager, Office of Site Evaluation, Illinois
Environmental Protection Agency


Signature

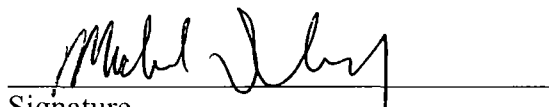

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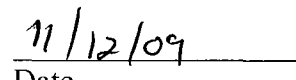
Reviewer: Tom Crause, Office Manager, Office of Site Evaluation, Illinois
Environmental Protection Agency

Signature

Date

Approval: Michael Ribordy, Site Assessment Manager, United States Environmental
Protection Agency, Region 5


Signature

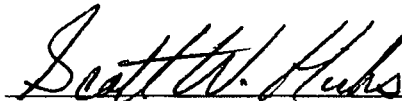

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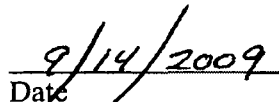
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Woodstock, Illinois

Preparer: Scott W. Hicks, Project Manager, Office of Site Evaluation, Illinois
Environmental Protection Agency


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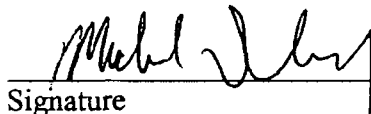

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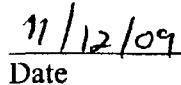
Reviewer: Tom Crause, Office Manager, Office of Site Evaluation, Illinois
Environmental Protection Agency

Signature

Date

Approval: Michael Ribordy, Site Assessment Manager, United States Environmental
Protection Agency, Region 5


Signature


Date

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

September 17, 2009

Mr. Michael Ribordy, On Scene Coordinator
Office of Superfund
Region 5 Offices
U.S. Environmental Protection Agency
77 West Jackson
Chicago, Illinois 60604

Mr. Ribordy:

Please find enclosed copies of Site Reassessment Report and QUICKSCORE worksheets for the following sites that were scheduled for Fiscal 2009 completion.

| SITE NAME | ILD NUMBER | COUNTY | RECOMMENDATION |
|-----------------------------|------------|-----------|----------------|
| Saw-wee-kee Forest Preserve | 984839159 | Kendall | NFA |
| USX Vessel Slips | 000508209 | Cook | NFA |
| Woodstock Die Cast | 005471503 | McHenry | NFA |
| Precision National | 047731112 | Jefferson | NFA |
| Bartlett Manufacturing | 097278792 | McHenry | NFA |
| Bemis Corporation | 006215727 | Peoria | NFA |

We are pleased to provide you with the attached reports. Should you have any questions or comments concerning this submission please feel free to contact me, or the author of the individual reports.

Sincerely,

Thomas Crause
Manager, Office of Site Evaluation
Division of Remediation Management
Bureau of Land

Rockford • 4302 N. Main St., Rockford, IL 61103 • (815) 987-7760

Elgin • 595 S. State, Elgin, IL 60123 • (847) 608-3131

Bureau of Land – Peoria • 7620 N. University St., Peoria, IL 61614 • (309) 693-5462

Collinsville • 2009 Mall Street, Collinsville, IL 62234 • (618) 346-5120

Des Plaines • 9511 W. Harrison St., Des Plaines, IL 60016 • (847) 294-4000

Peoria • 5415 N. University St., Peoria, IL 61614 • (309) 693-5463

Champaign • 2125 S. First St., Champaign, IL 61820 • (217) 278-5800

Marion • 2309 W. Main St., Suite 116, Marion, IL 62959 • (618) 993-7200

**CERCLA
Site Reassessment –
Other Cleanup Activities**

for:

**Woodstock Die Casting Facility
Woodstock, Illinois
BOL#: 1110950003
US EPA ID: IL005471503**

**PREPARED BY:
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
BUREAU OF LAND
DIVISION OF REMEDIATION MANAGEMENT
OFFICE OF SITE EVALUATION**

September 23, 2009

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Section 1.0 Introduction

On May 8, 2009, the Illinois Environmental Protection Agency's (Illinois EPA) Office of Site Evaluation was tasked by the Region V Offices of the United States Environmental Protection Agency (U.S. EPA) to conduct a Site Reassessment at the Woodstock Die Casting Facility site (Woodstock) located in Woodstock, Illinois. The Site Reassessment is performed under the authority of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) commonly known as Superfund.

Current U.S. EPA policy stipulates that a Site Reassessment be conducted to determine the current status of the Woodstock site. The Site Reassessment will consist of an evaluation of recent information to determine if further Superfund investigations are warranted. The Site Reassessment will supplement previous work, and is not intended to replace previous CERCLA assessments.

The Site Reassessment is designed to evaluate recent information that will help determine if the site qualifies for possible inclusion on the National Priorities List (NPL), or should receive a No Further Remedial Action Planned (NFRAP) designation. At the conclusion of the reassessment process Illinois EPA will recommend that the site be given a NFRAP designation, receive further Superfund investigation, or be referred to another state or federal cleanup program.

The Woodstock site was initially placed on the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) database in 1986. Illinois EPA conducted a CERCLA Preliminary Assessment (PA) in 1987 with a recommendation to continue evaluating the site under CERCLA authority. In 1988,

Illinois EPA completed a CERCLA Screening Site Inspection (SSI) and assigned a low priority recommendation to the Woodstock site.

The Site Reassessment Report will describe current site conditions and illustrate how the site has changed since the last CERCLA investigation in 1988. This report will contain a summary of existing information that will include site history, current site conditions, evaluate past analytical data, and evaluate past remedial activities. The Site Reassessment will also support emergency response or time-critical removal activities if they are warranted.

Section 2.0 Site Description and History

2.1 Site Description

The Woodstock Die Cast Facility site is located at 555 Wheeler Street in Woodstock, McHenry County, Illinois (Figure 1). The site occupies approximately nine acres and is located within the northwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of the southwest $\frac{1}{4}$ of Section 5, Township 44 North, Range 7 East in McHenry County with the following coordinates: 42.3192° N Latitude, 88.4481° W Longitude (Figure 2). The property is bordered on the north by West First Street, on the east by Clay Street, on the south by the American Legion and a city-owned parking lot, and on the west by Chicago and Northwestern Railroad. A ground water treatment building for the facility existed just north of West First Street and was historically a wastewater treatment plant for the die cast facility (Figure 3). The site is essentially flat with a slight slope of less than 1% to the north-northeast and an average terrain slope of 0%.

The site once contained three large buildings. These buildings were an administration building, and industrial process building, and industrial wastewater building. The industrial wastewater building contained chrome/metal plating lines, chlorination tanks (for cyanide treatment), acid storage tanks, cyanide storage and recovery tanks, wastewater collection sumps, acetone and methyl ethyl ketone (MEK) underground storage tanks, and chrome recovery facilities.

All remnants of the die casting facility have been removed. The current condition of the site is an open space. New streets have been built on the site, areas have been reseeded with grass, and the property is being prepared for redevelopment (Figure 3).

2.2 Operational History

The facility originally began as the Oliver Typewriter Company which began operations in 1893. By 1932, the facility was a die casting site owned by the Electric Autolite Company. In 1954, Woodstock Die Casting, a division of Eltra Corporation, purchased the facility. In 1985, the facility transferred to Woodstock Manufacturing Corporation owned by Allied-Signal. In 1990, Woodstock Manufacturing Corporation closed the facility and filed for bankruptcy.

The site produced and finished zinc and aluminum die castings. The operation consisted of die casting, machining, and finishing by buffing, polishing, electroplating, and painting. The plating was limited to copper, nickel and chrome baths. The activities at the site generated approximately 0.4 million gallons per (MGD) day of wastewater. As mentioned earlier, the facility had its own wastewater treatment plant to clean the contaminated water. In July 1991, Woodstock Manufacturing was refusing to continue with the pumping of the on-site groundwater monitoring wells from the

environmental investigation because they were declaring bankruptcy and would no longer be able to pay since the Allied Corporation had not paid in three months. Woodstock Die Casting could no longer underwrite the expenses of pumping and monitoring.

In 1993, the City of Woodstock purchased the property and inherited responsibility in the remediation of the facility after Woodstock Manufacturing Corporation declared bankruptcy. On October 10, 1997, an inspection done by the Illinois EPA still noted that violations were still in place. By March 1999, the City of Woodstock had removed the tanks that stored nickel, copper and chromium. In December 2001, the City of Woodstock enrolled the site into the Illinois EPA Site Remediation Program (SRP).

2.3 CERCLA Investigative History

On June 17, 1986, Woodstock Die Cast in Woodstock, Illinois was added to CERCLIS. This was a result of an environmental investigation findings submitted by Allied-Signal to the U.S. EPA on June 6, 1986. In 1985, T. A. Gleason Associates (T.A. Gleason) were hired by Allied-Signal to conduct an environmental investigation to prepare the site for sale. The following paragraphs describe the events after Woodstock Die Cast was added to CERCLIS.

In August 1986, the Illinois EPA became involved with the site when Allied Corporation and T.A. Gleason, a consultant for Allied Corporation, notified the Illinois EPA of an investigation of the facility in preparation to sell the facility. On January 2, 1987 A CERCLA PA was submitted to the U.S. EPA. The recommendation of the PA

was to give the site a high priority because of the local municipal wells located in close proximity to the site (Appendix A).

The Illinois EPA started a SSI in May 1988. When the Illinois EPA learned that T.A. Gleason was initiating a groundwater program on the site, the Illinois EPA decided that they would use the data collected by T.A. Gleason to avoid duplication of effort. The T.A. Gleason investigation included discussions with plant personnel, a groundwater study, sampling of city municipal wells, sampling of test borings, and the installation of monitoring wells. The investigation determined no contaminants had migrated into the public wells.

T.A. Gleason installed on-site and off-site monitoring wells and sampled test borings between October 1985 and June 1988. Data gathered from the monitoring wells determined that the groundwater flow in the area was in a northeasterly direction. Testing of the on-site wells determined the presence of volatile organic compounds (VOCs), cyanide, and chromium. These contaminants were also found down gradient but at levels lower than those detected on site. Samples from the test borings revealed contamination from VOCs, cyanide, chromium, and nickel.

In 1987, T.A. Gleason installed an on-site groundwater recovery system to recover and treat the contaminated groundwater. Thirty-four (34) recovery wells were installed on the site to recover chromium, cyanide, and VOCs. The collected groundwater was pumped to the Die Cast Wastewater Treatment Plant. The water was treated and discharged in accordance with National Pollutant Discharge Elimination System (NPDES) Permit issued by the Illinois EPA.

Because of the lack of contamination in the public wells and levels of contamination at lower levels than those detected on site, the Illinois EPA recommended a low priority status for future CERCLA site assessment activities.

Section 3.0 Other Cleanup Activities

In December 2001, the City of Woodstock enrolled the Woodstock Die Cast Facility in the Illinois EPA Site Remediation Program (SRP). The city began remediating the site to obtain a comprehensive No Further Remediation (NFR) letter. As mentioned earlier, the city had conducted some site remediation when they removed old storage tanks in 1997. On April 1, 2003, the City of Woodstock adopted an ordinance that prohibited the installation and use of potable water supply wells within the city limits. The city properly abandoned the wells within the city limits including the wells near the site. By January 2004, the buildings on site had been demolished and the debris removed.

The City of Woodstock also remediated the contaminated soil on site in accordance with the Illinois EPA's Tiered Approach to Corrective Action Objectives (TACO). TACO is the Illinois EPA's method for developing remediation objectives to protect human health for contaminated soil and groundwater. The city either placed clean soil from three to ten feet depending on the contaminant or placed paved streets over the contaminated soil to prevent exposure.

By 2005, the City of Woodstock had completed sufficient remediation to warrant a comprehensive NFR. On July 12, 2005, a comprehensive NFR letter was granted for the former Woodstock Die Casting Facility to the City of Woodstock. In January 10,

2006, a letter from the Wendler Group, the contractor working with the City of Woodstock, stated that all remediation had been completed as stated in the comprehensive NFR letter. The site was acquired for redevelopment by the Hummel Group, and is currently being redeveloped as a mixed residential and commercial.

Section 4.0 Summary and Conclusion

Because of the activities that occurred during the operation of the Woodstock Die Casting Facility, there is potential concern that the site would present a risk to human health and the environment. The two main pathways of concern are groundwater and surface water. The City of Woodstock does take their drinking water from aquifers. At one time, the city's wells were located next to the Die Casting Facilities, but today, the wells are located outside the city limits. As mentioned earlier, the wells next to the facility have been properly abandoned, and no active wells are located within the city limits. The new wells are down gradient from the site and are monitored regularly. The new wells draw water from a depth of 107 to 205 feet below ground surface which is deeper than the groundwater contamination level of 20 to 30 feet below ground surface. Because of this difference in depths, the effect of the groundwater contamination on the wells is minimized. The new wells have not shown any contamination of heavy metals, volatile or semi-volatile organic compounds.

Also, there is no specific possible point of entry for surface water contamination adjacent to the site. There are no surface water bodies on the site. The site is relatively flat with 0-1% of slope. Surface run off would have to travel through a series of culverts and ditches to the nearest possible point of entry. The nearest possible point of entry is a tributary for the Nippersink Creek about one-half mile northeast of the site that flows

approximately seven miles before reaching the creek. The Nippersink Creek continues to flow approximately three miles into Wonder Lake. The creek empties from the lake approximately two miles to the northeast and continues to flow in a northeasterly direction (Appendix B). Since the site has remediated, there is minimal chance of exposure from surface water exiting the site.

Another possible pathway is soil contamination, but the site has already been through remediation to limit exposure. In the areas where contamination has been located, clean soil barriers or paved streets provide a barrier from potential exposure (Appendix C).

Because of the remediation of the site and the closure of the drinking wells near the site by the City of Woodstock, the Woodstock Die Casting Facility has been issued a comprehensive NFR letter (Appendix D) through the Illinois EPA Site Remediation Program. This comprehensive NFR letter meets the requirements of the U.S. EPA for site remediation (Appendix E).

Section 5.0 References

Illinois Environmental Protection Agency, Bureau of Land; File for Woodstock Die Cast, Inc., LPC # 1110950003.

Illinois Environmental Protection Agency. Safe Drinking Water Information System: 1110950 Woodstock. Maintained by the Bureau of Water.

<http://www.epa.state.il.us/water/compliance/drinking-water/sdwis/index.html>

Accessed September 1, 2009.

Illinois Environmental Protection Agency. Source Water Assessment Program: Source Water Assessment Summary: 1110950 Woodstock. Electronic Fact Sheet maintained by the Bureau of Water. <http://www.epa.state.il.us/cgi-bin/wp/swap-fact-sheet.pl>. Accessed September 1, 2009.

Illinois Environmental Protection Agency. Superfund Memorandum of Agreement Between the Illinois Environmental Protection Agency and the United States Environmental Protection Agency, Region V. December 18, 1991.

Illinois Environmental Protection Agency. Tiered Approach to Corrective Action Objectives (TACO). Fact Sheet 1: Introduction.

<http://www.epa.state.il.us/land/taco/1-introduction.html>

Accessed September 1, 2009.

Illinois Natural Resources Geospatial Data Clearinghouse, Illinois State Geological Survey, <http://www.isgs.uiuc.edu/nsdihome/>. Woodstock (1:24,000 USGS Digital Raster Graphic File); Elgin (1:100,000 USGS Digital Raster Graphic File).

Accessed August 25, 2009.

Sanborn Map of Belvidere, Illinois. Sanborn Map and Publishing Company. New York, New York. 1905, 1912, 1922, 1932. Accessed August 26, 2009.

Figure 1
Site Location Map

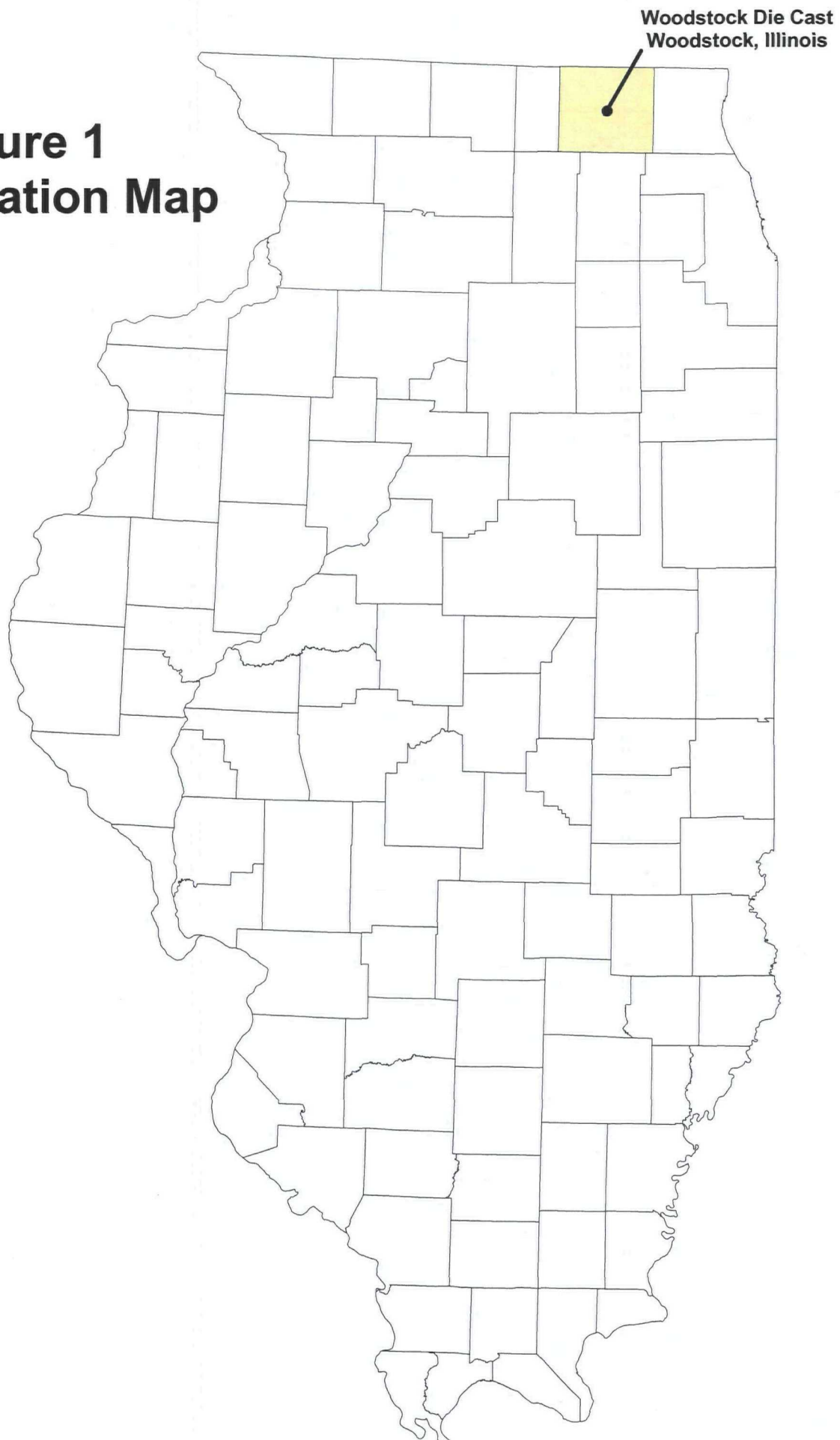


Figure 2
Site Topographic Map

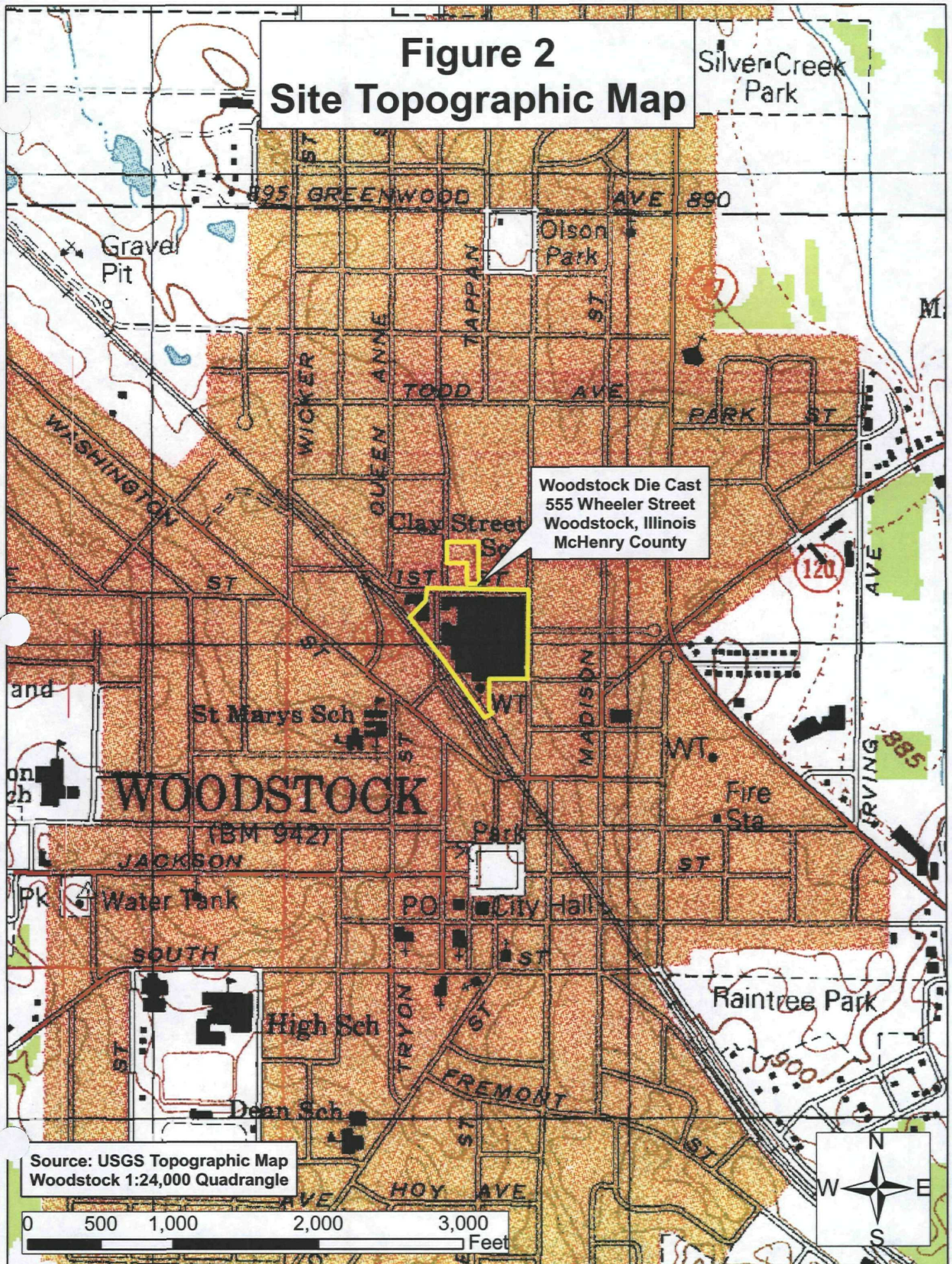


Figure 3
Aerial Photograph
Woodstock Die Cast Site

Former Woodstock Die Cast
Wastewater Treatment Plant

W. First Street

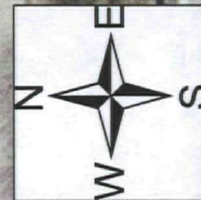
Clay Street

Newell Street

American
Legion

Chicago & Northwestern Railroad

Approximate Boundary
Woodstock Die Cast Site



Source: USGS 2005



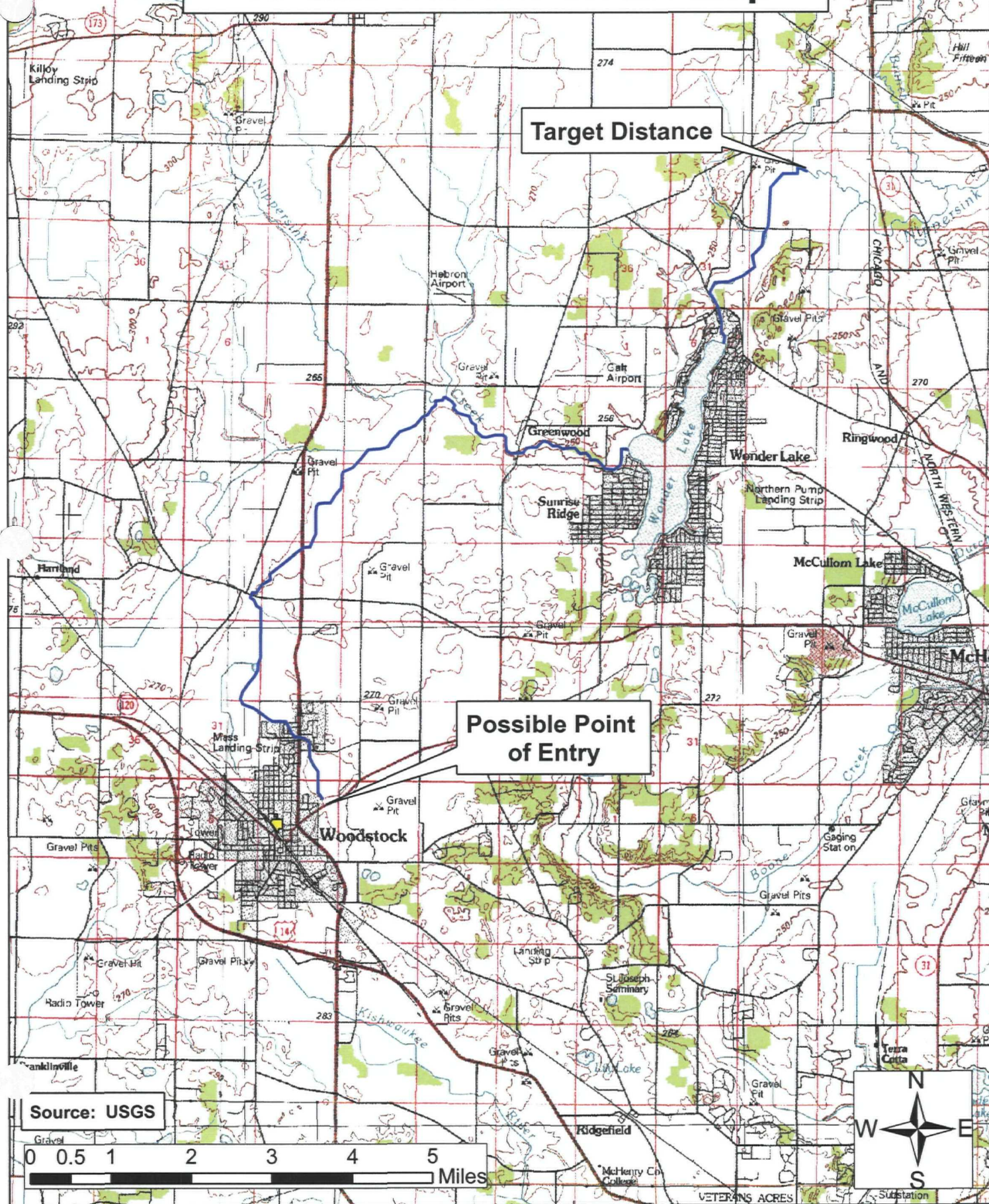
Appendix A

4 Mile Radius Map Woodstock Die Casting Facility Woodstock, Illinois



Appendix B

Woodstock Die Casting Facility 15-Mile Surface Water Map



Appendix C

SITE BASE MAP -- 07/06/85
ILD #110950002 -- MCHEENRY COUNTY
WOODSTOCK, ILLINOIS
SITE REMEDIATION / TECHNICAL REPORTS

REMEDIAL SITE BOUNDARY

FIRST STREET

NORTH ST.

MERRILL ST.

REMEDIAL SITE BOUNDARY

ENGINEERED BARRIERS

- 3-FOOT CLEAN SOIL BARRIER
- 10-FOOT DRAIN SOIL BARRIER
- Highway Authority Agreement

CARLSON ENVIRONMENTAL, INC.
 65 EAST WYCKEN PLACE
 CHICAGO, ILLINOIS
 (312) 346-2140

APPROXIMATE SCALE IN FEET
 0 150

AUTUMN 87

05 0388 0000004 17,000
0-000-4-000, 10,000000
10-000 0000-0000

APPROXIMATE STRENGTH
IN POUNDS

0 150

Appendix D



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. Box 19176, SPRINGFIELD, ILLINOIS 62794-9376, 217-FBI-3397
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, Suite 1100, CHICAGO, IL 60601, 312-814-6026

ROD R. BLAGOJEVICH, GOVERNOR

(217) 783-6761

July 15, 2005

CERTIFIED MAIL

7004 8530 0001 6451 6756

Dr. Brian Sager, Ph.D., Mayor
City of Woodstock
121 W. Cathlamet Street
Woodstock, IL 60098

RELEASABLE

JUL 26 2005

REVIEWER TPW

Refer to: # 1110950003-- McHenry County
Woodstock/ Woodstock, City of (Woodstock Die Cast Facility)
Site Remediation/Technical Reports
No Further Remediation Letter

Dear Mayor Sager:

The *Revision 2-Remedial Action Completion Report* (June 23, 2005/Log No. 05-25355), as prepared by Carlson Environmental, Inc. for the City of Woodstock property, has been reviewed by the Illinois Environmental Protection Agency ("Illinois EPA") and demonstrates that the remedial action was completed in accordance with 35 Illinois Administrative Code Parts 740 and 742.

The Remediation Site, consisting of 9 acres, is located at 555 Wheeler Street, Woodstock, Illinois. Pursuant to Section 58.10 of the Illinois Environmental Protection Act ("Act") (415 ILCS 5/1 et seq.), your request for a no further remediation determination is granted under the conditions and terms specified in this letter. The Remediation Applicant, as identified on the Illinois EPA's Site Remediation Program DRM-1 Form (December 11, 2001/Log No. 01-3557), is the City of Woodstock.

This comprehensive No Further Remediation Letter ("Letter") signifies a release from further responsibilities under the Act for the performance of the approved remedial action. This Letter shall be considered prima facie evidence that the Remediation Site described in the attached Illinois EPA Site Remediation Program Environmental Notice and shown in the attached Site Base Map does not constitute a threat to human health and the environment and does not require further remediation under the Act if utilized in accordance with the terms of this Letter.

Washington - 4002 North Main Street, Rockland, IL 61201 - (815) 967-7790 • Des Plaines - 9541 W. Harrison St., Des Plaines, IL 60018 - (847) 294-2960
Evanston - 395 Glenview Road, Glenview, IL 60023 - (847) 660-1111 • Peoria - 5415 N. University St., Peoria, IL 61614 - (309) 691-8461
Bloomington - 7520 N. University St., Peoria, IL 61614 - (309) 691-8461 • Champaign - 2135 South First Street, Champaign, IL 61820 - (217) 274-5800
Springfield - 6501 S. State Street Rd., Springfield, IL 62706 - (217) 786-6502 • Quincy - 2009 W. 2nd Street, Collinsville, IL 62424 - (618) 346-5130
Moline - 1200 W. Main St., Moline, IL 61201 - (309) 255-7300

6/26/05 11:50 AM P012

Conditions and Terms of Approval

Level of Remediation and Land Use Limitations

- 1) The contaminants of concern that remain at the areas described in the attached Site Remediation Program Environmental Notice and as shown on the attached Site Base Map of this Letter are:

| Location | CAS Number | Chemical Name |
|-------------------------------------------|------------------------|--------------------|
| 10' Clean Soil Barriers | 7440-47-3 | Chromium |
| 3' Clean Soil Barrier (GP-5) | 50-32-8 | Benzo(a)pyrene |
| 3' Clean Soil Barrier (TB-3, TB-9, TB-13) | 7440-47-3 7440-50-8 | Chromium Copper |

- 2) The Remediation Site is approved for Residential or Industrial/Commercial land use.
- 3) The land use specified in this Letter may be revised if:
- Further investigation or remedial action has been conducted that documents the attainment of objectives appropriate for the new land use; and
 - A new Letter is obtained and recorded in accordance with Title XVII of the Act and regulations adopted thereunder.

Preventive, Engineering, and Institutional Controls

- 4) The implementation and maintenance of the following controls are required as part of the approval of the remediation objectives for this Remediation Site.

Preventive Controls:

- 5) At a minimum, a safety plan should be developed to address possible worker exposure in the event that any future excavation and construction activities may occur within the contaminated soil in the area. Any excavation within the contaminated soil will require implementation of a safety plan consistent with NIOSH Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities, OSHA regulations (particularly in 29 CFR 1910 and 1926), state and local regulations, and other USEPA guidance. Soil excavated below surface grade must be returned to the same depth from which it was excavated or properly managed or disposed in accordance with applicable state and federal regulations.

Engineering Controls:

- 6) The clean soil barrier, which is comprised of a minimum of 10 feet of clean soil covering the area shown in the attached Site Base Map, must remain over the contaminated soils. This clean soil barrier must be properly maintained as an engineered barrier to inhibit inhalation of the contaminated media.

- 7) The clean soil barrier, which is comprised of a minimum of 3 feet of clean soil covering the area shown in the attached Site Base Map, must remain over the contaminated soils. This clean soil barrier must be properly maintained as an engineered barrier to inhibit ingestion of the contaminated media.

Institutional Controls:

- 8) Ordinance No. 03-0-27 adopted by the City of Woodstock on April 1, 2003, effectively prohibits the installation and use of potable water supply wells in the City of Woodstock. This ordinance provides an acceptable institutional control under the following conditions:
- a) The current owner or successor in interest of this Remediation Site who relies on this ordinance as an institutional control shall:
 - i) Monitor activities of the unit of local government relative to variance requests or changes in the ordinance relative to the use of potable groundwater at this Remediation Site; and
 - ii) Notify the Illinois EPA of any approved variance requests or ordinance changes within thirty (30) days after the date such action has been approved.
 - b) The Remediation Applicant shall provide written notification to the City of Woodstock and to owner(s) of all properties under which groundwater contamination attributable to the Remediation Site exceeds the objectives approved by the Illinois EPA. The notification shall include:
 - i) The name and address of the local unit of government;
 - ii) The citation of Ordinance 03-0-27;
 - iii) A description of the property for which the owner is being sent notice by adequate legal description or by reference to a plat showing the boundaries;
 - iv) A statement that the ordinance restricting the groundwater use has been used by the Illinois EPA in reviewing a request for groundwater remediation objectives;
 - v) A statement as to the nature of the release and response action with the name, address, and Illinois EPA inventory identification number; and
 - vi) A statement as to where more information may be obtained regarding the ordinance.
 - c) Written proof of this notification shall be submitted to the Illinois EPA within forty-five (45) days from the date of this Letter to:

Robert E. O'Hara
Illinois Environmental Protection Agency
Bureau of Land/RPMS
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

- d) The following activities shall be grounds for voidance of the ordinance as an institutional control and this Letter:
 - i) Modification of the referenced ordinance to allow potable uses of groundwater;
 - ii) Approval of a site-specific request, such as a variance, to allow use of groundwater at the Remediation Site or at the affected properties;
 - iii) Failure to provide written proof to the Illinois EPA within forty-five (45) days from the date of this Letter of written notification to the City of Woodstock and affected property owner(s) of the intent to use Ordinance 03-0-27 as an institutional control at the Remediation Site; and
 - iv) Violation of the terms and conditions of this No Further Remediation letter
- 9) The City of Woodstock agrees through the use of a highway authority agreement, dated February 1, 2005, to allow contaminated soil and groundwater, to remain beneath portions of its highway right-of-ways for First, and North Streets. The highway owner also agrees that the contaminated groundwater shall not be utilized as a potable or other domestic supply water.

Other Terms

- 10) The Remediation Applicant has remediated the release associated with Leaking Underground Storage Tank (LUST) Incident Number 990512.
- 11) Where a groundwater ordinance is used to assure long-term protection of human health (as identified under Paragraph 8 of this Letter), the Remediation Applicant must record a copy of the groundwater ordinance adopted and administered by a unit of local government along with this Letter.
- 12) Where the Remediation Applicant is not the sole owner of the Remediation Site, the Remediation Applicant shall complete the attached *Property Owner Certification of the No Further Remediation Letter under the Site Remediation Program* Form. This certification, by original signature of each property owner, or the authorized agent of the owner(s), of the Remediation Site or any portion thereof who is not a Remediation Applicant shall be recorded along with this Letter.
- 13) Further information regarding this Remediation Site can be obtained through a written request under the Freedom of Information Act (5 ILCS 140) to:

Illinois Environmental Protection Agency
Attn: Freedom of Information Act Officer
Bureau of Land-#24
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

14) Pursuant to Section 58.10(f) of the Act (415 ILCS 5/58.10(f)), should the Illinois EPA seek to void this Letter, the Illinois EPA shall provide notice to the current title holder and to the Remediation Applicant at the last known address. The notice shall specify the cause for the voidance, explain the provisions for appeal, and describe the facts in support of this cause. Specific acts or omissions that may result in the voidance of the Letter under Sections 58.10(e)(1)-(7) of the Act (415 ILCS 5/58.10(e)(1)-(7)) include, but shall not be limited to:

- a) Any violation of institutional controls or the designated land use restrictions;
- b) The failure to operate and maintain preventive or engineering controls or to comply with any applicable groundwater monitoring plan;
- c) The disturbance or removal of contamination that has been left in-place in accordance with the Remedial Action Plan. Access to soil contamination may be allowed if, during and after any access, public health and the environment are protected consistent with the Remedial Action Plan;
- d) The failure to comply with the recording requirements for this Letter;
- e) Obtaining the Letter by fraud or misrepresentation;
- f) Subsequent discovery of contaminants, not identified as part of the investigative or remedial activities upon which the issuance of the Letter was based, that pose a threat to human health or the environment;
- g) The failure to pay the No Further Remediation Assessment Fee within forty-five (45) days after receiving a request for payment from the Illinois EPA;
- h) The failure to pay in full the applicable fees under the Review and Evaluation Services Agreement within forty-five (45) days after receiving a request for payment from the Illinois EPA.

15) Pursuant to Section 58.10(d) of the Act, this Letter shall apply in favor of the following persons:

- a) City of Woodstock;
- b) The owner and operator of the Remediation Site;
- c) Any parent corporation or subsidiary of the owner of the Remediation Site;
- d) Any co-owner, either by joint-tenancy, right of survivorship, or any other party sharing a relationship with the owner of the Remediation Site;
- e) Any holder of a beneficial interest of a land trust or inter vivos trust, whether revocable or irrevocable, involving the Remediation Site;
- f) Any mortgagee or trustee of a deed of trust of the owner of the Remediation Site or any assignee, transferee, or any successor-in-interest thereto.

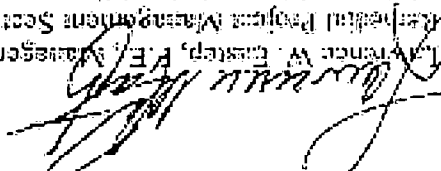
- g) Any successor-in-interest of the owner of the Remediation Site;
 - h) Any transferor of the owner of the Remediation Site whether the transfer was by sale, bankruptcy proceeding, partition, dissolution of marriage, settlement or adjudication of any civil action, charitable gift, or bequest;
 - i) Any heir or devisee of the owner of the Remediation Site;
 - j) Any financial institution, as that term is defined in Section 2 of the Illinois Banking Act, and to include the Illinois Housing Development Authority, that has acquired the ownership, operation, management, or control of the Remediation Site through foreclosure or under the terms of a security interest held by the financial institution, under the terms of an extension of credit made by the financial institution, or any successor-in-interest thereto; or
 - k) In the case of a fiduciary (other than a land trustee), the estate, trust estate, or other interest in property held in a fiduciary capacity, and a trustee, executor, administrator, guardian, receiver, conservator, or other person who holds the remediated site in a fiduciary capacity, or a transferor of such party
- 16) This letter, including all attachments, must be recorded as a single instrument within forty-five (45) days of receipt with the Office of the Recorder of McHenry County. For recording purposes, the Illinois EPA Site Remediation Program Environmental Notice attached to this Letter should be the first page of the instrument filed. This Letter shall not be effective until officially recorded by the Office of the Recorder of McHenry County in accordance with Illinois law so that it forms a permanent part of the chain of title for the City of Woodstock property.
- 17) Within thirty (30) days of this Letter being recorded by the Office of the Recorder of McHenry County, a certified copy of this Letter, as recorded, shall be obtained and submitted to the Illinois EPA to:

Robert E. O'Hara
Illinois Environmental Protection Agency
Bureau of Land/TPMS
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

- 18) In accordance with Section 58.10(g) of the Act, a No Further Remediation Assessment Fee based on the costs incurred for the Remediation Site by the Illinois EPA for review and evaluation services will be applied in addition to the fees applicable under the Review and Evaluation-Services Agreement. Request for payment of the No Further Remediation

If you have any questions regarding the City of Woodstock property, you may contact the Illinois EPA project manager, Barbara Landers at 217-557-6939.

Sincerely,


Lawrence W. Casper, P.E., Manager
Regional Project Management Section
Division of Remediation Management
Bureau of Land

Attachments: Illinois EPA Site Remediation Program Environmental Notice

Site Base Map
Property Owner Certification of No Further Remediation Letter under the Site
Remediation Program Form

cc: Lisa McLaughlin
Carlson Environmental, Inc.
65 East Wacker Place, Suite 1500
Chicago, IL 60601

Appendix E

ADDENDUM NO. 1

SUPERFUND MEMORANDUM OF AGREEMENT
BETWEEN THE
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
AND THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION V

I. BACKGROUND

The Illinois Environmental Protection Agency ("IEPA") and the United States Environmental Protection Agency, Region V ("Region V") entered a Superfund Memorandum of Agreement (SMOA") effective December 18, 1991. Among other things, the SMOA established operating procedures for general Superfund program coordination and communication between IEPA and Region V.

II. BROWNFIELDS

In 1993 IEPA and Region V began developing strategies to promote the remediation and redevelopment of "Brownfield" sites. Both agencies recognize that a key factor to the Brownfields program in Illinois is for both agencies to exercise their authorities and use their resources in ways that are mutually complementary and are not duplicative. Two operational factors are important in this regard. First, the IEPA has successfully operated a voluntary cleanup since the late 1980s. This program, more formally known as the Pre-Notice Site Cleanup Program ("PNSCP"), provides guidance, assistance and oversight by IEPA to owners and operators of sites in Illinois who perform site assessment and remediation in accordance with the practices, and under the approval, of the IEPA. In addition IEPA has established a consistent cleanup objectives process across all its remediation programs (PWSCP, CERCLA, RCRA, and LUST) which is protective of human health and the environment. Second, USEPA has administered a national site assessment program to assess sites listed on the federal CERCLIS list. This assessment process identifies and prioritizes sites for remediation needs and also establishes a "no further remedial action planned" or NFRAP category of sites. As a result of the success of these two programs, IEPA and Region V have concluded that the principles and procedures set forth in this Addendum will meaningfully assist in the remediation and development of Brownfield sites.

III. PRINCIPLES

If a site in Illinois has been remediated or investigated under the practices and procedures of the Illinois PNSCP and IEPA has approved the remediation as complete or made a no-action determination upon review of an investigation, consistent with existing information the site will not be expected to require further response actions. Accordingly, Region 5 will not plan or anticipate any federal action under Superfund law unless, in exceptional circumstances, the site poses an imminent threat or emergency situation. Region 5 will also continue to work with Illinois to remove any concerns about federal activity under Superfund so as to encourage appropriate redevelopment.

This Principle does not apply to sites which have been listed on the National Priorities List or sites subject to an order or other enforcement action under Superfund law or sites imminently threatening public health or the environment. Future IEPA activities at the site will be based on the conditions of the remediation approval and whether any imminent threat subsequently arises.

IV. REPORTING

On an annual basis IEPA will report to Region V on the Following:

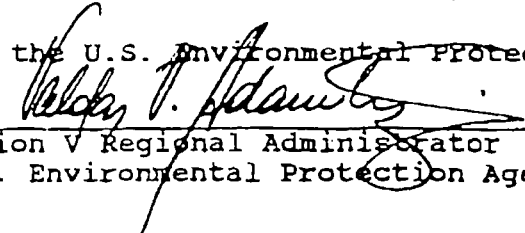
- 1) number of sites in the PNSCP;
- 2) sites entering the PNSCP the previous year;
- 3) sites having received approvals by IEPA of full or partial completions in the previous year;

For the Illinois Environmental Protection Agency



Director, Illinois Environmental Protection Agency

For the U.S. Environmental Protection Agency, Region V



Region V Regional Administrator
U.S. Environmental Protection Agency

Date

4/26/95.